

## Subpart B [Reserved]

## PART 100—COST RECOVERY REGULATIONS, COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT OF 1994

- Sec.  
 100.9 General.  
 100.10 Definitions.  
 100.11 Allowable costs.  
 100.12 Reasonable costs.  
 100.13 Directly assignable costs.  
 100.14 Directly allocable costs.  
 100.15 Disallowed costs.  
 100.16 Cost estimate submission.  
 100.17 Request for payment.  
 100.18 Audit.  
 100.19 Adjustments to agreement estimate.  
 100.20 Confidentiality of trade secrets/proprietary information.  
 100.21 Alternative dispute resolution.

AUTHORITY: 47 U.S.C. 1001-1010; 28 CFR 0.85(o).

SOURCE: 62 FR 13324, Mar. 20, 1997, unless otherwise noted.

**§ 100.9 General.**

These Cost Recovery Regulations were developed to define allowable costs and establish reimbursement procedures in accordance with section 109(e) of Communications Assistance for Law Enforcement Act (CALEA) (Public Law 103-414, 108 Stat. 4279, 47 U.S.C. 1001-1010). Reimbursement of costs is subject to the availability of funds, the reasonableness of costs, and an agreement by the Attorney General or designee to reimburse costs prior to the carrier's incurrence of said costs.

**§ 100.10 Definitions.**

*Allocable* means chargeable to one or more cost objectives and can be distributed to them in reasonable proportion to the benefits received.

*Business unit* means any segment of an organization for which cost data are routinely accumulated by the carrier for tracking and measurement purposes.

*Cooperative agreement* means the legal instrument reflecting a relationship between the government and a party when—

(1) The principal purpose of the relationship is to reimburse the carrier to carry out a public purpose of support

or stimulation authorized by a law of the United States; and

(2) Substantial involvement is expected between the government and carrier when carrying out the activity contemplated in the agreement.

*Cost element* means a distinct component or category of costs (e.g. materials, direct labor, allocable direct costs, subcontracting costs, other costs) which is assigned to a cost objective.

*Cost objective* means a function, organizational subdivision, contract, or other work unit for which cost data are desired and for which provision is made to accumulate and measure the cost of processes, products, jobs, capitalized projects, etc.

*Cost pool* means groupings of incurred costs identified with two or more cost objectives, but not identified specifically with any final cost objective.

*Direct supervision* means immediate or first-level supervision.

*Directly allocable cost* means any cost that is directly chargeable to one or more cost objectives and can be distributed to them in reasonable proportion to the benefits received.

*Directly assignable cost* means any cost that can be wholly attributed to a cost objective.

*Directly associated cost* means any directly assignable cost or directly allocable cost which is generated solely as a result of incurring another cost, and which would not have been incurred had the said cost not been incurred.

*Final cost objective* means a cost objective that has allocated to it, both assignable and allocable costs and, in the carrier's accumulation system, is one of the final accumulation points.

*Installed or deployed* means that, on a specific switching system, equipment, facilities, or services are operable and available for use by the carrier's customers.

*Labor cost* means the sum of the payroll cost, payroll taxes, and directly associated benefits.

*Network operations costs* means all directly associated costs related to the ongoing management and maintenance of a telecommunications carrier's network.

*Plant costs* means the directly associated costs related to the modifications